

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

PRIOR APPLICATION: Examiner: C. Onuaku
Group Art Unit: 2715

**CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a ☒ **Continuation** ☐ Divisional ☐ Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 08/834,806, filed on April 3, 1997, of:

Inventor(s): Junichi YOSHIO
Ryuichiro YOSHIMURA
Takao SAWABE
Yoshiaki MORIYAMA
Kaoru YAMAMOTO
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For: INFORMATION RECORD MEDIUM, APPARATUS FOR RECORDING
THE SAME AND APPARATUS FOR REPRODUCING THE SAME

2. The papers enclosed are as follows:

76 Page(s) of specification including
0 Title Page
13 Page(s) of claims
1 Page of abstract
14 Sheet(s) of drawings containing 18 Figures
— Other: _____

3. Amendments

- ☒ Cancel in this application original claims 2-12 in the enclosed copy of prior application before calculating the filing fee.
- ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

4. Oath or Declaration

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☒ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A signed statement deleting inventor(s) named in the prior application is enclosed.

5. Relate Back - 35 U.S.C. § 120

- ☒ Amend the specification by inserting before the first line the sentence:
- “This is a continuation of copending U.S. Patent Application No. 08/834,806 filed on April 3, 1997 which is hereby incorporated by reference.”
- ☐ International Application No. _____ filed on _____ and which designated the U.S.”

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

☒ Priority of the following foreign application(s) is/are claimed:

Country	Application No.	Filed
JAPAN	8-082932	April 4, 1996

Certified copy(ies): ☐ is/are attached.

☐ will follow.

☒ was/were filed in prior U.S. Application No. 08/834,806 on September 12, 1997

7. Assignment

☒ The prior application is assigned of record to Pioneer Electronic Corporation, recorded September 12, 1997 at Reel/Frame 8696/0128.

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

8. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$320.00
Total Claims (37 C.F.R. § 1.16(c))	1 - 20 =	0	\$ 18.00 each =	+ \$
Independent Claims (37 C.F.R. § 1.16(b))	1 - 3 =	0	\$ 80.00 each =	+ \$
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$270.00	+ \$
SUB-TOTAL =				\$710.00
Reduction by ½ for filing by a small entity				- \$
TOTAL FILING FEE =				\$710.00

9. Fee Payment

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time
set for filing the Declaration and paying the filing fees.

☒ Enclosed.

A check(s) in the amount of \$710.00 to cover the filing fee is enclosed.

10. Small Entity Status is claimed and

☐ a statement claiming small entity status is enclosed, or

☐ a small entity statement was filed in the prior nonprovisional application and is
still proper and desired.

11. ☒ The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.

Please address all correspondence to Morgan, Lewis & Bockius LLP at
Customer Number: 009629

12. ☐ Recognize as associate attorney _____.
(name, address, and registration no.)

13. ☒ **PETITION FOR EXTENSION OF TIME.** If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. 08/834,806, filed April 3, 1997, for the purpose of maintaining copendency between the prior application and the present application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0310.

14. ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

15. Additional papers enclosed:

- ☒ Information Disclosure Statement
☒ Form PTO-1449, no references included
☐ Declaration of Biological Deposit
☐ Submission of "Sequence Listing", computer readable copy and/or amendment
pertaining thereto for biotechnology invention containing nucleotide and/or amino
acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: John F. Guay Reg. No. 33,818
FOR John F. Guay
Reg. No. 47,248

Dated: December 8, 2000

Customer No. 009629

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